

## Memorandum

Date: MAR 23 2006

To: Honorable Mike Chrisman  
Secretary for Resources  
The Resources Agency  
1416 Ninth Street, Room 1311  
Sacramento, California 95814

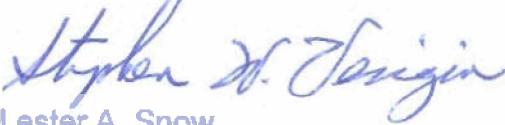

From: Department of Water Resources

Subject: Weather Resources Management Projects

As stated in Section 15251(j) of Title 14 of the California Code of Regulations, the Secretary for Resources provided the regulation of weather resources management projects through the issuance of operating permits by the State Department of Water Resources (DWR) pursuant to the California Weather Resources Management Act of 1978 (Water Code Sections 400 et seq.).

In 1984, the Legislature eliminated the statutory licensing and permit requirements for weather resource management projects (sections 403-409 of the California Water Code). DWR subsequently repealed the regulations implementing the program. The program has been inactive ever since these regulations were repealed. Section 21080.5(e) of the Public Resources Code provides that the Secretary must decertify or withdraw certification on determination that the certified regulatory program has been altered so that it no longer meets the specified qualifications. Since the statutory requirements for certification of weather resource management projects have been eliminated by the Legislature and DWR has repealed the regulations for this program, DWR requests decertification of this program by your office.

If you have any questions or need additional information, please call me or Jerry Johns, Deputy Director, at (916) 653-8045.

  
 Lester A. Snow  
Director  
(916) 653-7007



*Making San Francisco Bay Better*

January 20, 2006

Secretary Mike Chrisman  
California Resources Agency  
1416 - 9th Street  
Sacramento, California 95814

**SUBJECT:** BCDC Functional Equivalency Regulations

Dear Mr. Chrisman:

As stated in Section 15251(h) of title 14 of the California Code of Regulations, the Secretary for Resources previously certified the permit program of the San Francisco Bay Conservation and Development Commission (BCDC) under the Suisun Marsh Preservation Act, Division 19 (commencing with Section 29000) of the Public Resources Code.

We are hereby requesting the Secretary to decertify this program. The permit program under the Suisun Marsh Preservation Act meets the criteria for certified regulatory programs through the interaction of BCDC rules and regulations with the provisions of multiple Local Protection Programs administered by local governments. However, in order to enhance the transparency of our compliance with CEQA, we have decided that in the future we will implement the general CEQA requirements set forth in the Public Resources Code (commencing with Section 21000) and our regulatory provisions (commencing with 14 CCR Section 10110). Because we have decided to stop using the certified regulatory program for the permit program under the Suisun Marsh Preservation Act, identifying this program as a certified program in Section 15251(h) would be confusing to the public. For this reason, we request decertification of this component of its certified regulatory program.

The remainder of section 15251(h) of the CEQA Guidelines dealing with planning under the Suisun Marsh Preservation Act and the permit and planning programs of the San Francisco Bay Conservation and Development Commission under the McAteer-

Petris Act, Title 7.2 (commencing with section 66600) of the Government Code are not affected by this proposed decertification.

Sincerely,

  
WILL TRAVIS  
Executive Director

WT/JS/mm